

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Sep 14, 2018**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender:	Frank Bradley Molesky	Case Number:	0980 2:08CR00147-LRS-1
Address of Offender:	Spokane, Washington 99217		
Name of Sentencing Judicial Officer:	The Honorable Lonny R. Suko, Senior U.S. District Judge		
Date of Original Sentence:	September 1, 2009		
Original Offense:	Possession of a Stolen Firearm and Ammunition, 188 U.S.C. §§ 922(j) and 924(a)(2)		
Original Sentence:	Prison 120 months TSR - 36 months	Type of Supervision:	Supervised Release
Asst. U.S. Attorney:	George J. C. Jacobs, III	Date Supervision Commenced:	June 26, 2017
Defense Attorney:	William Miles Pope	Date Supervision Expires:	June 25, 2020

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**PETITIONING THE COURT**

To incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on 04/19/2018, 05/07/2018 and 05/16/2018.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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7

**Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Molesky is in direct violation of special condition #18 by failing to provide a urine sample as directed on September 6, 2018.

On June 26, 2017, Mr. Molesky was given a copy of his judgement and his conditions of supervision were explained to him. He signed his judgment reflecting he understood his conditions in full.

Due to Mr. Molesky's continued drug use, he was referred to our urinalysis hotline at Pioneer Human Services (PHS). Mr. Molesky was directed to call the hotline daily and to listen for the color "BROWN2." If said color was called, he was directed to report to PHS between the hours of 7 a.m. and 7 p.m. to supply a urine sample.

On September 6, 2018, the color "BROWN2" was called and Mr. Molesky failed to provide a sample as directed. He also failed to call the undersigned officer to report his missed

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urinalysis test. On September 7, 2018, the undersigned officer called Mr. Molesky and directed him to report to the U.S. Probation Office later that day. He failed to report.

On September 11, 2018, the undersigned officer conducted a home check on Mr. Molesky. He reported he had been in a car accident a few weeks back. He stated he should have gone to his appointments. The undersigned officer requested a urine sample and Mr. Molesky provided a urine sample that tested presumptive positive for cocaine. The offender reported no use of cocaine. This sample has been sent to Alere Laboratory for further testing.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/13/2018

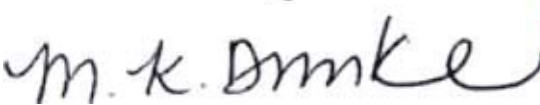

s/Joshua D. Schull

Joshua D Schull  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

9/14/2018

Date